

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

ROBERT HOPKINS, III,

*Plaintiff,*

v.

DEPARTMENT OF DEFENSE,

*Defendant.*

No. 3:22-CV-00706-C

**DEFENDANT’S UNOPPOSED MOTION TO EXTEND**

Defendant the Department of Defense (“the Department”) respectfully requests that the Court grant the Department a three-week extension to file its consolidated brief responding to Plaintiff’s motion for leave to file an amended complaint, ECF No. 71, and replying in support of the Department’s motion to dismiss and for summary judgment, ECF No. 32, until August 8, 2025. In addition, the Department respectfully requests that the Court grant Plaintiff an equal three-week extension to file his reply in support of his motion to amend by September 19, 2025. Counsel for the Department has conferred with counsel for Plaintiff, who has indicated that Plaintiff does not oppose the relief requested herein. As good cause in support of this motion, the Department represents the following:

1. Plaintiff filed this lawsuit on March 27, 2022. *See* Compl., ECF No. 1.

2. The Department filed a motion to dismiss and for summary judgment on October 4, 2023. ECF No. 32. On March 24, 2025, this Court dismissed Plaintiff's complaint in full with prejudice for failure to prosecute. ECF No. 47.
3. On February 14, 2025, the United States Court of Appeals for the Fifth Circuit reversed the dismissal and remanded the case back to this Court for further proceedings. *See Hopkins v. United States of America*, No. 24-10462 (5th Cir. Feb. 14, 2025). Accordingly, on March 12, 2025, this Court vacated its prior judgment, ECF No. 48, and entered a scheduling order for briefing on the Department's motion to dismiss and for summary judgment, ECF No. 60.
4. Plaintiff moved for leave to file an amended complaint on April 11, 2025, ECF No. 71, and filed a response to the Department's motion to dismiss and for summary judgment on April 15, 2025, ECF No. 73.
5. The Department's current deadline to file a consolidated brief responding to Plaintiff's motion for leave to file an amended complaint and replying in support of the Department's motion to dismiss and for summary judgment is July 18, 2025. ECF No. 81.
6. The Department requests that the Court grant a three-week extension of time for Defendants to file a consolidated brief until August 8, 2025; and an equal

three-week extension of Plaintiff's reply in support of his motion to amend until September 19, 2025.

7. The Department seeks the extension to provide additional time for the Department to re-review Plaintiff's "Draft Response" document, which alleges that the redacted information is public and/or has been officially disclosed. *See* Pl.'s Opp. to Def.'s Mot. to Dismiss & for Summ. J. at 5–6, ECF No. 73. There has been significant turnover within the Department since the Department filed its opening brief on October 4, 2023, ECF No. 32, including but not limited to the Chief of the Defense Office of Prepublication and Security Review ("DOPSR")<sup>1</sup>, the DOPSR employee who originally processed Plaintiff's request, and two of the three attorneys from the Department's Washington Headquarters Services and Pentagon Force Protection Agency Office of General Counsel<sup>2</sup> who previously assisted with this case. This turnover is slowing the Department's re-review of Plaintiff's 118-page Draft Response. In addition, undersigned counsel, who are newly assigned to this case, request additional time to review the Draft Response in the first instance.

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<sup>1</sup> DOPSR manages the process by which Department components review and redact publications.

<sup>2</sup> The Washington Headquarters Services and Pentagon Force Protection Agency Office of General Counsel reviewed all declarations in this case and were familiar with the redactions.

8. Moreover, the Department anticipates lifting certain additional redactions in light of its re-review of the Draft Response. The Department requests the additional time to ensure that it is properly lifting any redactions, which may require coordination between different components.
9. Finally, the Department also requests the extension due to the press of competing work obligations. As previously noted, counsel for the Department faces a significantly increased workload of late, as the Federal Programs Branch at the Department of Justice has faced reduced staffing levels and increased caseloads. Moreover, Ms. Snyder will be out of the office from July 16 through July 27.
10. Counsel for Plaintiff has indicated that Plaintiff does not oppose the relief requested herein.

Accordingly, the Department requests that the Court grant the Department an extension of its deadline to file its consolidated brief responding to Plaintiff's motion for leave to file an amended complaint and replying in support of the Department's motion to dismiss and for summary judgment by August 8, 2025; and grant Plaintiff an equal three-week extension to file his reply in support of his motion to amend by September 19, 2025.

Date: July 15, 2025

Respectfully submitted,

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